

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA, *ex rel.* )  
JODIE MURRILL, Personal Representative )  
of the Estate of Gary Murrill, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ELN ENTERPRISES, LLC, )  
 )  
Defendant. )

No. 4:21-CV-00371-DGK

**ORDER**

Relator Jodie Murrill brought this *qui tam* action pursuant to the False Claims Act (“FCA”), 31 U.S.C. §§ 3729 et seq., alleging that ELN Enterprises, LLC knowingly submitted false or fraudulent Consultative Examination reports to the United States Social Security Administration to obtain payment and approval. On August 9, 2022, the Government declined to intervene, ECF No. 6, and Relator proceeded with this case in the name of the United States.

Now before the Court is the parties’ joint stipulation for dismissal without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). ECF No. 65. While the parties consent to dismissal, the Attorney General has not provided its written consent. *See* 31 U.S.C. § 3730(b)(1) (stating a FCA action brought by a *qui tam* relator “may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting”); *see also U.S. ex rel. Shaver v. Lucas W. Corp.*, 237 F.3d 932, 934 (8th Cir. 2001) (noting the Attorney General’s consent is required where a relator seeks a voluntary dismissal).

Accordingly, the Attorney General shall inform the Court, on the record, whether it consents to dismissal of this action and its reasons for doing so on or before July 8, 2024.

**IT IS SO ORDERED.**

Date: June 27, 2024

/s/ Greg Kays  
GREG KAYS, JUDGE  
UNITED STATES DISTRICT COURT